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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Friesen, *et al.*
Application No: 10/774,781
Filed: Feb 09, 2004
Date: Aug 04, 2005
Attorney Reference: 7457-00
Title: Composition and Method for Use in Cartilage Affection Conditions

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexander, Virginia 22313-1450

Sir:

Pursuant to the requirements of 37 CFR §§ 1.56, 1.97, and 1.98, Applicant submits the attached Information Disclosure Statement (Form PTO-1449) for consideration by the Examiner during the examination of the above-identified patent application.

Copies of the cited documents, if required, are enclosed.

An International Search Report and Written Opinion from the corresponding PCT application have been received.

The Information Disclosure Statement submitted herewith is being filed either (1) within three months of the filing date of the application, (2) within three months of the date of entry into the national stage of an international application, or (3) before the mailing date of a first Office Action on the merits. No certification under 37 CFR § 1.97(e) or fee under 37 CFR § 1.17(p) is required.

The Information Disclosure Statement is being submitted in compliance with 37 CFR §1.56 because an Examiner may consider any cited document important in deciding whether to allow the application to issue as a patent. However, the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art.

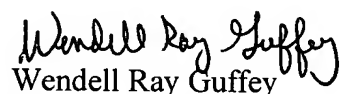
Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

No representation is intended that the cited documents represent the results of a complete search. It is anticipated that the Examiner in the normal course of examination will make an independent search, determine the best prior art consistent with applicable laws, rules and regulations, and review for relevance every document cited by Applicant.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached Form with initials or other appropriate marks.

No fees are due with this Information Disclosure Statement. However, please charge any fees required or credit any excess fees paid during the entire pendency of this Application to Deposit Account No. 502957.

Respectfully submitted,


Wendell Ray Guffey

Reg. No. 31,762

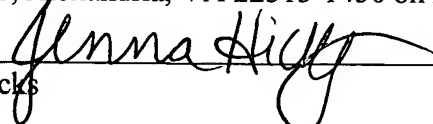
Phone: 785-286-8285

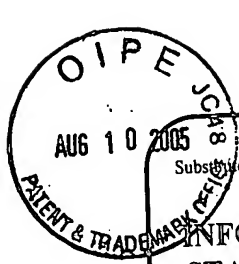
Email: ray_guffey@hillspet.com

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 8, 2005.


Jenna Hicks



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet

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of

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COMPLETE IF KNOWN

Application Number 10/774,781

Filing Date Feb 09, 2005

First Named Inventor Friesen

Art Unit

Examiner Name

Attorney Docket Number 7457-00

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|--|
| | | Number Kind Code ² (if known) | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|--|--|
| | | Country Code Number ⁴ Kind Code ² (if known) | | | |
| | 1 | WO 99/62524 A | 12-09-1999 | Nutramax Laboratories, Inc. | |
| | 2 | WO 03/084346 A1 | 16-10-2003 | Nestle SA | |
| | | | | | |

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume(issue number(s), publisher, city and/or country where published. | T ⁶ |
|--------------------|-----------------------|--|----------------|
| | 3 | International Search Report for PCT/US2005/004274 | |
| | 4 | Written Opinion for PCT/US2005/004274 | |
| | 5 | XP 00232583, Derwent Publications, 28 June 2000, LOG-NEGENTIEN BELEGGINNS | |
| | 6 | XP 000992206, GARY AR, "Natural Treatments for Osteoarthritis". Alternative Medicine Review, Volume 4, Number 5 1999 | |
| | 7 | XP-000991455, MCLAUGHLIN R, "Management of Chronic Osteoarthritic Pain", Veterinary Clinics of North America: Small animal Practice, Volume 30 Number 4, July 2000 | |
| | | | |

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Drawline through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.